

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Eugene Westmoreland,	)
	)
	)
<i>Plaintiff,</i>	)
	)
-vs-	) No. 23-cv-1851
	)
Thomas Dart, Sheriff of Cook County, and Cook County, Illinois,	) Judge Tharp, Jr.
	)
	)
<i>Defendants.</i>	)

**JOINT INITIAL STATUS REPORT**

Pursuant to the Court's order entered May 15, 2023, Dkt. 9, the parties file the following Joint Status Report:

**1. Nature of the Case.**

a. Attorneys of record, including lead trial lawyer

For the Plaintiff: Patrick W. Morrissey  
Thomas Morrissey (lead trial lawyer)  
Thomas G. Morrissey, Ltd.  
10257 S. Western Ave.  
Chicago, Il. 60643  
(773) 233-7901

For the Defendants: Jason E. DeVore (lead trial counsel)  
Troy S. Radunsky  
(trial bar member)

Zachary G. Stillman  
(general bar member) DeVore Radunsky, LLC  
230 W. Monroe Suite 230  
Chicago, Illinois 60606  
(312) 300-4479

b. Nature of the claims

Plaintiff, a wheelchair-user at Cook County Jail, alleges his rights under the Americans with Disabilities Act and Rehabilitation Act were violated because he was required to roll up and down non-compliant ramps.

c. Major legal and factual issues

The major legal and factual issues include whether the ramps comply with the federal structural standards and whether plaintiff meets the requirements of Rule 23 for this case to be certified.

d. Relief sought by any of the parties

Plaintiff requests that the Court certify this case under Rule 23 of the Federal Rules of Civil Procedure, that appropriate injunctive and compensatory damages are granted for the class, that plaintiff is awarded appropriate compensatory damages, and that the cost of this action, including fees and costs, be taxed against defendants.

**2. Jurisdiction**

This is a civil action arising under Section 202 of the Americans with Disabilities Act, 42 U.S.C. §12131-32, Section 504 of the Rehabilitation Act, and 29 U.S.C. §794. The jurisdiction of this Court is conferred by 28 U.S.C. § 1331.

**3. Status of Service**

All parties have been served

**4. Consent to Proceed Before a United States Magistrate Judge:** Counsel has advised the parties that they may proceed before a Magistrate Judge. The parties do not unanimously consent to proceed before a Magistrate Judge.

**5. Motions:**

a. Pending motions

Plaintiff filed a motion for class certification on May 9, 2023. Dkt. 7. Plaintiff requests that the Court set a briefing schedule for this motion. Defendant requests until July 10, 2023 to respond to the motion. Plaintiff requests fourteen days thereafter, until July 24, 2023 to file his reply brief.

- b. How defendants anticipate responding to the complaint

Defendants answer is being prepared for filing by May 26, 2023.

6. Status of Settlement Discussions:

- a. Whether settlement discussions have occurred;

The parties have not engaged in settlement discussions.

- b. Status the status of any settlement discussion; and

The parties have not engaged in settlement discussions.

- c. Whether the parties request a settlement conference

Plaintiff is agreeable to a settlement conference.

7. Proposed Case Management Schedule

The parties suggest the following schedule:

- a. Plaintiff served Rule 26(a)(1) disclosures on April 17, 2023. Defendants will serve Rule 26(a)(1) disclosures by June 12, 2023;
- b. Parties issue written discovery by June 26, 2023;
- c. Fact discovery completion date: March 25, 2024.

Respectfully submitted,  
/s/ Patrick Morrissey  
ARDC No. 6309730  
Thomas G. Morrissey, Ltd.  
10257 S. Western Ave.  
Chicago, IL 60643  
(773) 233-7901  
[pwm@morrisseylawchicago.com](mailto:pwm@morrisseylawchicago.com)

/s/Troy S. Radunsky

Jason E. DeVore (ARDC #62422782)

Troy S. Radunsky (ARDC #6269281)

DeVore Radunsky, LLC

230 W. Monroe Suite 230

Chicago, Illinois

312-300-4479

[tradunsky@devoreradunsky.com](mailto:tradunsky@devoreradunsky.com)

[jdevore@devoreradunsky.com](mailto:jdevore@devoreradunsky.com)